

AFFIDAVIT OF SERVICE

Index #: 08 CIV 3947 CLB)

Date Purchased: April 28, 2008

Date Filed: _____

Court Date: _____

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

COUNTY

ATTORNEY(S): Joseph N. Cordaro AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2745

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,

VS.

ESTATE OF MARILYN A. CALANGELO, et al.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF New York, COUNTY OF Oneida SS.:Richard J. Rickett, being duly sworn deposes and says:Deponent is not a party herein, is over 18 years of age. On 5-5-2008 at 6:54 PMat 160 Hood Avenue, Syracuse, NY 13208, deponent served the within**Summons In A Civil Case, Complaint, Judge's Rules and Electronic Case Filing Notice**with Index Number 08 CIV 3947 CLB, and Date Purchased April 28, 2008 endorsed thereon,on: Estate of Marilyn A. Calangelo c/o Anthony Calangelo, Defendant therein named.#1 INDIVIDUAL ☒ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.2 CORPORATION ☐ By delivering to and leaving with _____ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.#5 MAIL COPY ☐ On _____, deponent completed service under the last two sections by depositing a copy of the _____ to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of _____. Certified Mail No. _____Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other: _____#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex Male Color of skin White Color of hair Brown Age 30 Height 5'7"
Weight 160 Other Features: Goatee + Mustache#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC ☒ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of _____ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER ☐ _____Sworn to before me on this 6 day of May 2008x
byJames J. Spill
JAMES J. SPILL
Notary Public, State of New York
Qualified in Oneida County
My Commission Expires 03/31/2010PROCESS
SERVER

Please Print Name Below Signature

Richard J. Rickett

Invoice•Work Order# 0817805

CAPITAL PROCESS SERVERS, INC. 265 POST AVENUE SUITE 150, WESTBURY, NY 11590 • TEL 516-333-6380 • FAX 516-333-6382

JUDGE BRIEANT

ORIGINAL

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

United States of America

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER
08 CIV 3947

Estate of Marilyn A. Calangelo, Sullivan County
Department of Family Services, Catskill Regional
Medical Center, John Does Nos. 1-10 and Jane
Does Nos. 1-10

TO: (Name and address of defendant)

Estate of Marilyn A. Calangelo
c/o Anthony Calangelo
160 Hood Avenue
Syracuse, NY 13208

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael J. Garcia
United States Attorney for the Southern District of New York
By: Joseph N. Cordaro, Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, NY 10007

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 28 2008

CLERK

DATE

(BY) DEPUTY CLERK

